

Patent
Atty. Docket: 030639.0066.UTL
Atty. Docket No.: 249/124 US

B2
cont.

and Xaa_{28} are Ala; and provided also that, if Xaa_1 is His, Arg or Tyr, then at least one of Xaa_3 , Xaa_4 and Xaa_9 is Ala.--

REMARKS

A marked up version of the amended paragraphs to show changes made is attached hereto. Additions are noted by underlining, deletions are noted by bracketing, and all changes have been bolded for convenient reference. The amendments are made not for reasons related to patentability, but to improve the readability of the specification and correct typographical errors. These amendments add no new matter.

The amendments to the specification find full support in the specification and in materials incorporated by reference. The amendment to the description of Figure 1 merely identifies the SEQ ID NO of the genus in the top portion of the Figure. That SEQ ID NO (SEQ ID NO 3) is further defined in the specification at page 17.

The amendment to Formula III identifies the residue Xaa_{39} as Serine. This amendment is supported in the cited reference, PCT/US98/24273, duly incorporated by reference into the instant specification, by a genus in that specification within Formula III. The serine residue incorporated at position 39 is recited throughout the PCT/US98/24273 specification, for example on pages 9 and 23. These amendments therefore add no new matter and their entry is respectfully requested.

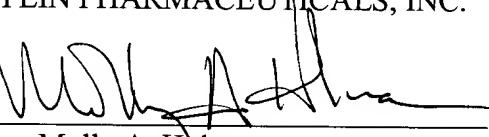
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Applicant also requests that the Examiner enter the amended sequence listing, which is provided in both paper and computer readable form (diskette). The matter contained on the paper and diskette are identical, and add no new matter to the specification.

Date: April 15, 2002

Respectfully submitted,

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MARKED UP VERSION SHOWING CHANGES MADE

Amendments to the referenced paragraphs are indicated by bold and underlining for additions and bolded brackets for deletions.

(a) On page 15, first full paragraph under “BRIEF DESCRIPTION OF THE DRAWINGS”:

Figure 1 depicts the amino acid sequences for certain exendin agonist compounds useful in the present invention [SEQ ID NOS 9-39] (**peptide listed above the table is SEQ ID NO: 3**).

(b) On page 24, second full paragraph, through page 27, up to but not including “Definitions,” please amend the paragraph and formula (III) [SEQ ID NO. 5] as follows:

Exendin agonist compounds also include those described in International Patent Application No. PCT/US98/24273, filed November 13, 1998, entitled, “Novel Exendin Agonist Compounds,” which claims the benefit of United States Provisional Application No. 60/066,029, filed November 14, 1997, including compounds of the formula (III)[SEQ ID NO. 5]:

Xaa₁ Xaa₂ Xaa₃ Xaa₄ Xaa₅ Xaa₆ Xaa₇ Xaa₈ Xaa₉ Xaa₁₀
Xaa₁₁ Xaa₁₂ Xaa₁₃ Xaa₁₄ Xaa₁₅ Xaa₁₆ Xaa₁₇ Ala Xaa₁₉ Xaa₂₀
Xaa₂₁ Xaa₂₂ Xaa₂₃ Xaa₂₄ Xaa₂₅ Xaa₂₆ Xaa₂₇ Xaa₂₈-Z₁; wherein

Xaa₁ is His, Arg, Tyr, Ala, Norval, Val or Norleu;

Xaa₂ is Ser, Gly, Ala or Thr;

Xaa₃ is Ala, Asp or Glu;

Xaa₄ is Ala, Norval, Val, Norleu or Gly;

Xaa₅ is Ala or Thr;

Xaa₆ is Phe, Tyr or naphthylalanine;

Xaa₇ is Thr or Ser;

Xaa₈ is Ala, Ser or Thr;
Xaa₉ is Ala, Norval, Val, Norleu, Asp or Glu;
Xaa₁₀ is Ala, Leu, Ile, Val, pentylglycine or Met;
Xaa₁₁ is Ala or Ser;
Xaa₁₂ is Ala or Lys;
Xaa₁₃ is Ala or Gln;
Xaa₁₄ is Ala, Leu, Ile, pentylglycine, Val or Met;
Xaa₁₅ is Ala or Glu;
Xaa₁₆ is Ala or Glu;
Xaa₁₇ is Ala or Glu;
Xaa₁₉ is Ala or Val;
Xaa₂₀ is Ala or Arg;
Xaa₂₁ is Ala or Leu;
Xaa₂₂ is Phe, Tyr or naphthylalanine;
Xaa₂₃ is Ile, Val, Leu, pentylglycine, tert-butylglycine or Met;
Xaa₂₄ is Ala, Glu or Asp;
Xaa₂₅ is Ala, Trp, Phe, Tyr or naphthylalanine;
Xaa₂₆ is Ala or Leu;
Xaa₂₇ is Ala or Lys;
Xaa₂₈ is Ala or Asn;
Z₁ is -OH,
-NH₂,
Gly-Z₂,
Gly Gly-Z₂,
Gly Gly Xaa₃₁-Z₂,
Gly Gly Xaa₃₁ Ser-Z₂,
Gly Gly Xaa₃₁ Ser Ser-Z₂,
Gly Gly Xaa₃₁ Ser Ser Gly-Z₂,
Gly Gly Xaa₃₁ Ser Ser Gly Ala-Z₂,
Gly Gly Xaa₃₁ Ser Ser Gly Ala Xaa₃₆-Z₂,

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Gly Gly Xaa₃₁ Ser Ser Gly Ala Xaa₃₆ Xaa₃₇-Z₂,
Gly Gly Xaa₃₁ Ser Ser Gly Ala Xaa₃₆ Xaa₃₇ Xaa₃₈-Z₂ or
Gly Gly Xaa₃₁ Ser Ser Gly Ala Xaa₃₆ Xaa₃₇ Xaa₃₈ [Xaa₃₉] Ser-Z₂;
wherein Xaa₃₁, Xaa₃₆, Xaa₃₇ and Xaa₃₈ are independently
Pro, homoproline, 3Hyp, 4Hyp, thioproline, N-alkylglycine, N-alkylpentylglycine
or N-alkylalanine; and
Z₂ is -OH or -NH₂;

provided that no more than three of Xaa₃, Xaa₄, Xaa₅, Xaa₆, Xaa₈, Xaa₉, Xaa₁₀, Xaa₁₁,
Xaa₁₂, Xaa₁₃, Xaa₁₄, Xaa₁₅, Xaa₁₆, Xaa₁₇, Xaa₁₉, Xaa₂₀, Xaa₂₁, Xaa₂₄, Xaa₂₅, Xaa₂₆, Xaa₂₇
and Xaa₂₈ are Ala; and provided also that, if Xaa₁ is His, Arg or Tyr, then at least one of
Xaa₃, Xaa₄ and Xaa₉ is Ala.